

**CITY OF HAYDEN LAKE
MINUTES OF REGULAR MEETING
APRIL 8, 2008**

CALL TO ORDER

Mayor Morris called the regular meeting of the Hayden Lake City Council to order at 7:00 p.m. A brief workshop was held at 6:30 p.m. Present at the meeting were Council members Tom Gorman, Todd Walker and Bob Grant. Councilwoman Evelyn Meany was absent. Also present as representatives of the Council were Attorney Pete Bredeson, Dick Pelton and Larry Comer. Visitors were William Bentz and Mr. and Mrs. Barton. City Clerk Lynn Hagman recorded the minutes of the meeting.

Councilman Gorman led us in the pledge of allegiance.

AGENDA

Councilman WALKER moved to approve the agenda for this meeting, seconded by Councilman GRANT. The motion carried. Councilman GRANT then moved to approve the consent agenda including the minutes of March 17th and March 24, 2008 and the unpaid bills. Councilman GORMAN seconded the motion. The motion carried.

UNFINISHED BUSINESS

Mr. Barton, 3001 Pt. Hayden explained to the Mayor and Council that when the street overlay project was done in Pt. Hayden, the Contractors replaced the right of way with gravel, which was then pushed into his yard by the snow plow. Mr. Barton has requested the Council to allow him to remove the gravel from the right of way and replace it as it was before with grass. Mayor Morris asked Larry Comer, City Engineer to speak with SI Construction about raking the gravel from Mr. Barton's yard.

Larry Comer informed the Council that the City has rural road standards which mean gravel shoulders. People are landscaping in the right of way and if the City is going to allow this, it would be part of the narrow road village standard. Councilman Walker voiced his concern with Mr. Barton replacing the gravel with grass and not having a swale in place for drainage.

Larry Comer suggested going to Mr. Barton's home with SI Construction and look at the right of way and research the plans for the street project. A letter will be sent to the City with the findings. Dick Pelton informed Mr. Comer that there are two property owners with the same problem.

Larry Comer then addressed the April 1, 2008 letter from Arrow Construction regarding the seal coating in the Club grounds. Arrow Construction has agreed to come back a re-seal the streets in mid June. There was a defect in the material that was previously used. They will also repair areas with a crack seal and the prep work will be done by Arrow Construction.

Mayor Morris directed "The Sweep" to sweep the club grounds area but if it needs to be done again, Arrow Construction will have to take care of it. Larry Comer will work with Councilman Walker on hand outs to the homeowners to inform them when the work will begin in June.

NO WAKE/BOUYS

Councilman Gorman voiced his concern with larger boats and more of them in Hayden Lake which is making it more dangerous for swimmers and docks are being torn up from the wake. Councilman Gorman stated that the Sheriff's office can't enforce without buoys. The City map shows that the City has 200' jurisdiction and Councilman Gorman questioned if the City could pass an ordinance for owners put out their own buoys up to 200' from shore.

Attorney Bredeson informed the Council that the State of Idaho has jurisdiction of the lake. Application for buoys can be made to the Dept. of Lands. Councilman Grant reminded Councilman Gorman of a time when the City tried to get all of Bervan Bay in a no wake zone and the City did not have the jurisdiction to do this. Councilman Grant suggested sending a letter to the Marine Division of the Sheriff's office and asks for more coverage on the lake. Attorney Bredeson was asked to contact Carl Washburn from the Idaho Dept. of Lands and invite him to the April 21, 2008 meeting.

BUDGET HEARING

Council set the time and place for the annual budget hearing. The hearing will be on September 2, 2008 at 7:00 p.m. at the Hayden Lake City Hall. **Councilman GRANT moved to accept the time and place for the budget hearing, seconded by Councilman WALKER. The motion carried.**

NOXIOUS WEED AGREEMENT

Kootenai County has sent the annual noxious weed agreement to the City. This agreement is to allow the County to spray the noxious weeds on City property. **Councilman WALKER moved to approve the agreement, seconded by Councilman GORMAN. A roll call vote showed: Councilman GORMAN, "aye", Councilman WALKER, "aye" and Councilman GRANT, "aye". The motion carried.**

DEER

Councilman Gorman informed the Mayor and Council that the City of Fernan has hired a man to trap deer and take them away for a fee. There is a permit needed which allows up to 20 deer to be trapped for a fee of \$250.00 per deer that is trapped. So far the City of Fernan has relocated 7 deer. In order to get a permit the City would need to pass an ordinance against feeding wildlife.

Councilman Grant stated that the winter was hard on the deer population this year and he is not in favor of the deer trapping program. Councilman Walker felt that there are too many deer and the cost is too high. Council decided to wait and see how the plan works in the City of Fernan.

LEGAL

Councilman Grant reminded the Council the Attorney Kevin Holt sat in for Attorney Bredeson at the last meeting and he was asked to talk to Attorney Bredeson about getting with the County on the Development Impact Fees. Attorney Bredeson felt that the Council needs to meet with the County Commissioners. Councilman Grant felt that the County needs to be put on legal notice to collect the impact fees. Council discussed the possibility of the Clerk collecting the impact fee when the sewer permit is applied for or at the time of preliminary plat on subdivisions.

Councilman GORMAN moved to direct the Clerk to collect the development impact fees on subdivisions at the time of preliminary plat approval. Councilman WALKER seconded the motion. Attorney Bredeson stated that fees are collected on every new residence. **Councilman GORMAN amended his motion to state preliminary plat approval and/or sewer hook up stage.** Councilman Gorman questioned Attorney Bredeson if the City can go to Developers and home owners to collect prior fees. Attorney Bredeson informed the Council that the City could do this. **Councilman WALKER seconded the amendment to the motion. The motion carried.**

Mayor Morris stated that a meeting with the County Commissioners needs to be set up. Councilman Grant suggested writing a firm letter and put the County on notice that they are in default of the ACI agreement. Councilman Grant volunteered to call Commissioner Piazza and in the mean time, the Clerk will collect fees where it is possible.

FINANCIAL

Mayor Morris gave a report on the City finances for February, 2008. **Councilman GRANT moved to accept the financial report for February, 2008, seconded by Councilman WALKER. The motion carried.**

NEWS LETTER

William Bentz presented the first draft of the City spring news letter. Mr. Bentz would like to get the first news letter out by the first of May. Mayor Morris and Council will contribute to the news letter and the clerk will write an article on the park.

ADJOURN

With no further business before the Council, at 8:20 p.m. **Councilman GORMAN moved to adjourn, seconded by Councilman WALKER. The motion carried.**

Nancy E. Morris, MAYOR

Lynn M. Hagman, CLERK